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Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

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Report of the Secretary-General

Addendum

I. Introduction

1. During the period from 18 July to 20 September 2000, additional reports were received from States pursuant to paragraph 11 of General Assembly resolution 53/97 of 8 December 1998. The relevant information concerning those reports is presented in section II below.

2. Furthermore, three States submitted views pursuant to paragraph 11 of General Assembly resolution 42/154 of 7 December 1987. The text of the communications is contained in section III below.

II. Reports received from States pursuant to paragraph 11 of General Assembly resolution 53/97

3. **Estonia** submitted a report, dated July 2000, referring to a number of incidents, one in particular involving the Russian embassy. The report reads as follows:

> "There have been some incidents of theft and hooliganism with regard to the diplomatic and consular representatives' possessions, which are not in themselves directed against their safety and security.
>
> "On 4 October in 1999 there was one incident, in which the Russian embassy in Estonia received a threat by phone. No actual harm was done.
>
> "Other than that, there have been no serious violations of the protection, security or safety of diplomatic and consular missions and representatives."

4. The report, dated 14 July 2000, submitted by the **Holy See** described violations which occurred in Papua New Guinea against the diplomatic mission of the Apostolic Nunciature. The report reads as follows:

> "On 10 May 2000, one of the diplomatic staff of the Apostolic Nunciature in Port Moresby was attacked by armed men as he was nearing the Nunciature in a car of the same diplomatic mission. Again, on 24 May 2000, the two

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chauffeurs of the Nunciature were also attacked by armed men as they were driving the cars of the mission. In both incidents, thanks to the alertness of those chauffeurs, such dangerous attempts were fortunately foiled and no one got hurt."

5. The report, dated 21 July 2000, submitted by the **Philippines** referred to violations involving the Philippine embassies at Phnom Penh and The Hague. The relevant extracts from the report follow:

"The incident involving the Philippine embassy in The Hague occurred as follows:

"On 30 August 1999, a person or persons unknown gained entry into the embassy by forcing open a window facing the main street which led to the Finance Officer's office. The Finance Officer's office was apparently ransacked, although nothing appears to have been taken. The door of the Finance Officer's office, which leads to the rest of the embassy, was also forced open. It did not appear, though, that the intruder(s) had searched through the rest of the embassy. The police authorities were notified and a forensic investigation was conducted (photographs and fingerprint impressions were taken). The police investigation did not reveal anything that could lead to an arrest or even the questioning of a suspect.

"In Cambodia, four incidents involving the same Philippine diplomatic staff member, Mrs. Regina Perol, were reported as follows:

"1. On 25 June 2000, at around 1900 hours, the Perol family entered their home and found their mountain bike and several pairs of shoes missing.

"2. On 7 February 2000, Mrs. Perol's car, which had been left at a repair shop for repairs to be made to the air-conditioning unit, was stolen by an employee of the shop. The car was driven by the employee towards the border with Viet Nam. However, before reaching the border, the car was involved in a serious accident, badly damaging the car. The employee left the scene of the accident and has remained in hiding. Mrs. Perol has sued the owner of the auto repair shop and the case is still pending in court.

"3. In December 1999, the Perol family parked their car at a mini-amusement park. When they returned 30 minutes later, they discovered that the side mirrors of the car were missing.

"4. In November 1999, person or persons unknown broke into the home of Mrs. Perol during the daytime. Stolen were a VHS player, a camera, a voltage regulator and some pieces of jewellery. She reported the incident immediately to the proper authorities, including her military general landlord. A police station is located across from her residence. No suspects have been arrested to date."

6. **Sweden** submitted a report, dated 14 August 2000, describing an incident at the Honorary Consulate-General of Austria in Sweden. The relevant portion of the report reads as follows:

"Early in the morning of 6 February 2000, the premises of the Honorary Consulate-General of Austria in Malmö was damaged. Five paving-stones had been thrown through the windows of the entrance door. Anti-Jörg Haider slogans and a crossed-out swastika had been sprayed onto the façade of the building. When they arrived on the scene the police noticed a kind of smoke inside the premises. The perpetrators had thrown an incendiary bomb into the Consulate building, which contained explosives that detonated and set fire to a curtain. The fire died out of its own accord. No one was hurt and it was confirmed that nobody had entered the premises. A preliminary investigation was initiated and the charge was "damage against State, an action of arson". On 1 March 2000 the investigation was closed since no leads had been found."

7. **Bulgaria, Hungary** and **Ukraine** reported that there had been no serious violations.

8. With its report, dated 25 July 2000, **Mexico** offered the following:

"The provisions of international law concerning the protection, security and safety of diplomatic and consular missions and representatives are strictly observed within Mexican territory, in accordance with the provisions of article 133 of the Political Constitution of the United Mexican States."

III. Views received from States pursuant to paragraph 11 of General Assembly resolution 42/154

9. By its report, dated 14 July 2000, **Bulgaria** provided its views as follows:

> "With respect to the Secretary-General's invitation to submit views on any measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives, we would like to emphasize that the issue of violation of diplomatic and consular immunity has been traditionally considered within the framework of violations committed by authorities or citizens of the host country. Another important aspect of this issue that deserves careful consideration are the cases when the violations of the protection, security and safety of the diplomatic and consular missions and representatives of the sending state are committed by citizens of that State."

10. By its report, dated 21 July 2000, the **Philippines** provided its views as follows:

> "With regard to the request for views with respect to any measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives, the Philippines representative would like to express the view that local authorities are encouraged to exert greater efforts to protect diplomatic officials, premises and property."

11. In its report, dated 14 August 2000, **Sweden** referred to close cooperation between sending and receiving States and wide accession to international agreements in the field. The report reads as follows:

> "Concerning the proposals for enhancing the protection of diplomatic and consular personnel, we would like to make a reference to General Assembly resolution 53/97 of 8 December 1998, of which Sweden was a co-sponsor, and the joint Nordic statement that was made in the Sixth Committee during the fifty-third session of the General Assembly. Both the resolution and statement call for close cooperation between sending and receiving States in order to ensure respect of privileges and immunities as well as a wide accession to international agreements in this field."